THE UNIVERSITY OF CHICAGO PRESS JOURNALS

Conscience across Cultures: The Case of Islam

Author(s): Paul L. Heck

Source: *The Journal of Religion*, Vol. 94, No. 3 (July 2014), pp. 292-324

Published by: The University of Chicago Press

Stable URL: https://www.jstor.org/stable/10.1086/676025

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at https://about.jstor.org/terms

*The University of Chicago Press* is collaborating with JSTOR to digitize, preserve and extend access to *The Journal of Religion*

JSTOR

This content downloaded from 108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

# Conscience across Cultures: The Case of Islam*

*Paul L. Heck* / *Georgetown University*

It is difficult to pin down what we mean by *conscience*. Generally, it reflects a person's character whereby one does the right thing in obedience to one's conscience, especially when there is no external monitoring of one's behavior. Conscience is, then, a kind of internal authority, dependent on a mental awareness of moral standards. But what is the nature of this moral authority in our life? Is it innate? Is it learned? Is it informed or enhanced by communal teachings of one kind or another? Or is it a neutral concept that invariably needs additional qualification (a good conscience, a bad conscience, etc.). Another set of questions involves the relation of the self to society. Is conscience about self-expression or self-repression? Is it about finding one's own voice or living according to the collective voice of society that one has internalized as one's own? Or is it a mechanism within the soul that encourages people to promote the moral good in society, including expression of outrage when moral standards have been transgressed? Today, of course, there are widely divergent views on what constitutes the moral good and the standards for evaluating it. This article does not aim to resolve these issues but only to introduce Islam more fully into the discussion by comparing its views on conscience with a selection from the Christian West. Does thinking about conscience across civilizations yield insights? Whether one defines conscience as a faculty of the soul or something else, conscience is about the mechanics of subjectivity insofar as it is internal to the human being, but it is also tied to notions of law that embody a society's understanding of its moral good. Conscience is not a principle or authority on its own but is assumed to act in a dynamic relation with the moral standards of society even when one is in good conscience dissenting from them. Law, of course, is not a singular phenomenon but varies in time and place, and this is no less true for the law of Islam. Norms might be expressed in more in-

* I would like to thank my colleague Diane M. Yeager, Thomas J. Healey, C'64, Family Distinguished Professor at Georgetown University, for encouraging me to pursue the topic of this article and also the two anonymous reviewers for their insightful suggestions.

© 2014 by The University of Chicago. All rights reserved.
0022-4189/2014/9403-0002$10.00



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

dividualistic or more communalistic terms depending on the society. Nevertheless, law is never simply a matter of norms out there (that is, external to human beings). We are ceaselessly evaluating our moral relation to society through the mechanism of conscience. Introducing Islam into the conversation can sharpen perspective on conscience. Comparative inquiry can be illuminating.

This article is partly motivated by discussions with graduate students and faculty colleagues at Muhammad V University in Morocco, where I occasionally teach. In several discussions, including joint readings of several texts on conscience, they quickly noted similarities with thinking on conscience from the heritage of the Christian West, even providing me with material (some mentioned in this article) to substantiate the common ground and so demonstrate that a concept of conscience does exist in Islam even if there is no single term for it. It is important to note that these students and colleagues do not come from Westernized classes of society in Morocco but belong, very self-consciously, to circles of pious learning. This contrasts with many a discussion I have had with learned colleagues in the United States who express surprise when I suggest that Islam has a concept of conscience. Building on these discussions, this article speaks to the idea of the "lexical fallacy" as coined by Bryan W. Van Norden, who argues, for Confucianism, that simply because a term for a concept does not exist in a particular tradition does not mean that the concept is not operative in it.[1]

The fact that colleagues in the United States express surprise that Islam has a concept of conscience may be due to a common identification of conscience with the authority of individual choice, which is arguably not widely affirmed in so-called traditional societies. It is, of course, important to remember that conscience has a variegated history. The American view is just one of many. This, however, need not imply that conscience is not a universal phenomenon. Fruitful comparison can be undertaken where similar dynamics can be considered from one heritage to another even when the concept of conscience is shaped in part by its context. However, it should also be noted that comparative reflection is illuminating even when it points to strikingly different conceptions of conscience. When we see the way different conceptions of conscience come to be forged, we can wean ourselves away from the idea that one culture has a monopoly on the definition of conscience.

For example, one well-known concept of conscience is not tied to the moral good of society but is defined as a private monitor with respect to one's own sense of personal convictions apart from external factors. This view arguably has its origins in reformist thinking of sixteenth-century European Christianity, where conscience was reconceived in relation to grace

[1] Bryan W. Van Norden, "Virtue Ethics and Confucianism," in *Comparative Approaches to Chinese Philosophy*, ed. Bo Mou (Aldershot: Ashgate, 2003), 99–121.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

as much as law: the authority of individual conscience was called on to attest to the state of one's soul before God in lieu of the authority of the church.[2] This need to verify one's elect status even after justification by faith gave rise to a rather introspective bent to conscience.[3] Conscience condemned you as a sinner, leaving you interiorly troubled, but it also served almost as representative of the Holy Spirit, testifying that you the sinner are justified by faith irrespective of external considerations.

Shorn of its salvific aspirations, this introspective conception of conscience can have a solipsistic side, making the very idea of objective moral order a source of tyranny for the authority of individual conscience. Such a strongly individualist view can be met with equally strongly communalist counterparts. For example, a well-known philosopher in the contemporary Arabo-Islamic context, Ṭaha ʻAbd al-Raḥmān (b. 1944), writes eloquently about cultural authenticity as the grounding of conscience.[4] In his view, there is a pressing need to protect the culture of Islam from the invasive and morally detrimental influence of what he calls "the culture of universal reality" (by which he means the globalization of a Western modernity that pretends to be objective universality). Here, then, is a concept of conscience that comes out of the postcolonial experience and is shaped by postmodern thinking that questions the universality of modernist claims. In this view, the validity of conscience lies in culture, the culture of Islam (at least for Muslims; ʻAbd al-Raḥmān is no rejectionist and does appreciate the so-called universal reality of the West but sees Islam as the exception to it).

Conscience here is hardly the introspective phenomenon associated with reformist thinking from the sixteenth-century Christian West but rather a simple responsiveness to the ethical norms of a particular culture called Islam. However sympathetically one might read this view in its own context, it is important to ask whether such a culturally driven conception of conscience, which could easily be used to suppress dissent even when based on the teachings of Islam, is wholly representative of Islam or simply a postmodernist twist on it. Just as many Christians might balk at the privatization of conscience as suggested in the above example, many Muslims would similarly reject its politicization. The ethics of Islam traditionally start from questions of morality, not culture or cultural authenticity. Is a culture-centered (and easily politicized) definition of conscience as described above consistent with Islam? What does the heritage have to say about conscience?

[2] Randall C. Zachman, *The Assurance of Faith: Conscience in the Theology of Martin Luther and John Calvin* (Minneapolis: Fortress Press, 1993).

[3] Krister Stendahl, "The Apostle Paul and the Introspective Conscience of the West," *Harvard Theological Review* 56, no. 3 (1963): 199–215.

[4] Ṭaha ʻAbd al-Raḥmān, *al-Ḥaqq al-Islāmī fī l-Ikhtilāf al-Fikrī* (Casablanca: al-Markaz al-Thaqāfī al-Arabī, 2005), esp. 292–93.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

Without ignoring differences between the Christian West and Islam, our goal here is to inquire into potential points of contact: not to cram two civilizations into a single box but rather to ask what we mean by conscience in this global moment. Certainly, there is no tidy definition, but it would be simplistic to reduce conscience wholly to personal integrity or cultural authenticity. Taking into account both Islam and the Christian West, it is arguable that conscience serves as a necessary foregrounding for engaging in the moral good in society by conviction rather than by coercion. This is not to overlook widely divergent conceptions of conscience, even within a single heritage, but rather to argue, along with my Moroccan students and colleagues, that there is common ground to consider.

Conscience has been described with a diversity of metaphors from divine voice to punitive father. It has been castigated as a repressive tool to ensure social conformity but also affirmed as a moral bulwark against state tyranny. Traditionally, it is a faculty for moral judgment, a tribunal of the soul, where one is held accountable for personal choices and actions even if at the same time it is recognized that conscience can err and come up short as moral guide. It has been cast in biblical language as the law of God written on the human heart but also in secular language as self-awareness and inner consciousness.[5] Conscience continues to be seen as marker of self-accountability, but it also undergirds personal integrity: appeals to conscience establish moral grounds for personal objections to activity that society generally deems acceptable (such as warfare).[6] Conscience is often identified as a feature of the Christian West and its philosophical legacies, both religious and secular. It would be difficult to come up with a definition of conscience to which all would assent. Indeed, some have argued that there is no such thing as conscience.[7] Still, there is fruitful comparison to be done. Here, we look at conscience in Islam alongside parallels in the Christian West as a way to foster comparative reflection and also to encourage discussion on conscience as a marker of religious type.

The goal is not to be exhaustive but rather to provide avenues for enriching contemporary debates on conscience. All thinking on conscience in the West does not have counterparts in Islam. It would be difficult to align a number of modern and postmodern views of conscience with Islam, such as those of Nietzsche or Freud.[8] Indeed, it would arguably be difficult to align them with Judaism or Christianity. Of course, since Islam

[5] Catherine Glyn Davies, *Conscience as Consciousness: The Idea of Self-Awareness in French Philosophical Writings from Descartes to Diderot* (Oxford: Voltaire Foundation, 1990).

[6] James F. Childress, "Appeals to Conscience," *Ethics* 89, no. 4 (1979): 315–35; and Frank Schalow, "Language and the Social Roots of Conscience: Heidegger's Less Traveled Path," *Human Studies* 21, no. 2 (1998): 141–56.

[7] J. F. M. Hunter, "Conscience," in *Conscience*, ed. John Donnelly and Leonard Lyons (Staten Island, NY: Alba House, 1973), 55–84.

[8] Donovan Miyasaki, "Nietzsche contra Freud on Bad Conscience," *Nietzsche-Studien* 39, no. 1 (2010): 434–54.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

does not have the same terminology for conscience as used in the Christian West, there will necessarily be limits to the comparison. Still, keeping in mind the idea of lexical fallacy, considering the two traditions together—limits notwithstanding—can sharpen perspective on conscience. There has not been much study of conscience in Islam,[9] and yet it offers a rich forum for cross-cultural and cross-religious reflection on the moral life. We proceed as follows: first, consideration of the term for conscience in Arabic; second, exploration of the way the inner life—or mechanics of subjectivity—is articulated in Islam with a focus on concepts that approximate conscience; third, comparison with a selection of examples from the Christian West; and, finally, conclusions on the import of these reflections for our contemporary moment. It is worth noting that while we consider different inflections given to conscience between Catholicism and Protestantism, we do not account for confessional variety in Islam. Are the dynamics of conscience conceived differently between Sunni Islam and Shi'i Islam, to say nothing of other branches of Islam, such as Isma'ili Islam? Confessional divergence, if any, may be geared to different conceptions of religious authority and leadership, but there is no literature on the question, putting it beyond the scope of this article. Here, we focus on examples that are illustrative of the tradition more broadly.

## CONSCIENCE IN ARABIC

Arabic is the language of Islam. Even if non-Muslim Arabs, notably Christians, use it for liturgy and religious writings, it has a special relation to Islam as the language of the Qur'an. The word used in contemporary Arabic for conscience, *ḍamīr*, is not found in the Qur'an or the corpus of prophetic sayings, collectively known as Hadith. The word, which has a long history in Islam, took on a moral and judicial sense only during the colonial and postcolonial periods, coming to bear the meaning of conscience at play in the Christian West.[10] This is not to say there was no equivalent to the concept of conscience prior to the impact of the West, only that caution is needed when referring to *ḍamīr* as conscience. As used today, it is as much a product of the Christian West as it is of Islam,[11] at least in terms of the twentieth-century novels by Egyptian Muslims that are the focus of Leirvik's study, novels written with knowing reference to "European philosophy and Christianity."[12] The meaning of conscience is thus no less fixed in Islam than in the Christian West but invariably evolves in response

[9] Ron Geaves, "Islam and Conscience," in *Conscience in World Religions*, ed. Jayne Hoose (Notre Dame, IN: University of Notre Dame Press, 1999), 155–75; and Oddbjørn Leirvik, *Human Conscience and Muslim-Christian Relations: Modern Egyptian Thinkers on al-ḍamīr* (London: Routledge, 2006).

[10] Leirvik, *Human Conscience and Muslim-Christian Relations.*

[11] Ibid., 39

[12] Ibid., 22.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

to context. How, then, does the meaning of *ḍamīr* continue to unfold in a rapidly changing world? At least as used in a selection of Egyptian novels examined by Leirvik, the word took shape as a result of engagement with the Christian West. However, even if its contemporary usage has been partly informed by the Christian West, Muslims envision the concept of conscience, now tagged to *ḍamīr*, through the lens of their own thinking on the mechanics of subjectivity (by which is meant not relativism or individualism but the mechanics of the inner life more broadly). Tracing the ongoing development in the word's usage can shed light on the contributions of Islam to the history of conscience. There is precedent for Muslim reformulation of Christian language. Muslims of the ninth century, for example, engaged Christians on a host of theological issues, adopting their categories but developing them in ways specific to Islam. How are Muslims today imbuing a word, designated as the equivalent of conscience in the Christian West, with thinking from their own tradition?

It is not our task here to answer that question, although what follows is meant to offer perspective for future study of the nuances of *ḍamīr* in contemporary Arabic. Here, we briefly illustrate the meaning of *ḍamīr* as a prelude to our discussion on the mechanics of subjectivity in Islam. Muslim and Christian Arabs alike use *ḍamīr*. It need not indicate conscience in the moral and judicial sense but simply what one conceals within oneself—inner sentiment, good or bad. A person's *ḍamīr* is inaccessible to others but does function on its own to advise or admonish. That is the task, in principle, of one's community; one occasionally hears reference to the *'ulamā'* (religious scholars) as the *ḍamīr* of the Muslim community. The soundness of a person's *ḍamīr* is partly dependent on a moral formation, thus requiring additional language to qualify it. Honest people have a living conscience (*ḍamīr ḥayy*), dishonest people a dead conscience (*ḍamīr mayyit*). That conscience needs to be qualified with additional language is not unique to Islam but has parallels in the Christian West: "[In Calvin's writings] four pairs of adjectives repeatedly surface in connection with conscience. Calvin apparently feels conscience is left too bare without being clothed with these descriptive pairs. Therefore he constantly refers to variations of the good/bad, pure/impure, peaceful/fearful, and free/bound conscience. Calvin primarily utilizes these adjectives when he is drawing out the function of conscience in the lives of both the regenerate and unregenerate who have knowledge of the written law."[13]

The meaning of *ḍamīr* as internal sentiment is evident in the verbal form (*aḍmara*), which indicates what one harbors within oneself but does not divulge, such as resentment of another. The term is not found in the Qur'an and Hadith but does have a conceptual equivalent. For example,

[13] David Bosco, "Conscience as Court and Worm: Calvin and the Three Elements of Conscience," *Journal of Religious Ethics* 14, no. 2 (1986): 334.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

Qur'an 67:13 (*sūrat al-mulk*) says: "Conceal (*asirrū*) your words or divulge them, [Allah] knows what is in the breasts [of humans]." This is akin to the use of conscience in the writings of Shakespeare, where it is "experienced in the imagination as an ongoing process of exposure."[14] While Shakespeare's characters encounter their conscience in visible form as particular figures, the encounter according to the Qur'an lies in your own pious awareness (*taqwā*) that God has knowledge of your inner life and that angels record your good and bad deeds in a book to be divulged on Judgment Day. What one conceals within one's breast will one day be judged in a court that is both psychological and divine.

The classical texts of Islam use the qur'anic term to indicate internal sentiment. Its plural (*sarā'ir*) parallels the plural of *ḍamīr*. For example, al-Ghazālī (d. 1111) uses it in both the singular and plural in a theological treatise, *Moderation in Belief* (*al-Iqtiṣād fī-l-I'tiqād*), which opens as follows:

> Praise to Allah who has selected from among his choicest slaves the band of truth, people close to prophetic precedent, conferring on them, from among all the sects, the privileges of His kindly help and grace, by pouring forth upon them from the light of His guidance the disclosure of the true realities of religion. He made their tongues speak with proof of Him in order to curb the error of the heretics and to purify their internal sentiments [*sarā'ir*]from the whisperings of devils, to cleanse their internal sentiments [*ḍamā'ir*] from the seductions of the deviant and to cultivate their hearts with the lights of certainty, so that they might be guided to the mysteries [*asrār*] of [the message] that He sent down on the tongue of His prophet and chosen one, Muhammad, master of those who have been sent, Allah's blessing upon him and his entire family. They [the select band above] have become cognizant of the way to achieve synthesis between the requirements of the laws of revelation and the demands of the intellect. They realize that there is no opposition between revelation as passed down by scholars and truth as known by the intellect.[15]

While *ḍamīr* can correspond to conscience in the sense of the psyche being exposed to a scrutinizing gaze in anticipation of Judgment Day, it is not a voice admonishing you in advance to adhere to moral truths written on the human heart as in the well-known passage from Paul's Letter to the Romans (Rom. 2:14–16): in the Arabic translation of the Bible, *syneidēsis*, the term in Greek translated into English as "conscience," appears as *ḍamīr*. It is a mechanism within persons, including Gentiles, acting to witness to the moral truths of the law revealed to the Israelites. In this passage, it is not Paul's aim to expound the meaning of *syneidēsis* but rather to argue that the Mosaic law is not what makes one righteous before God. Gentiles, even if they have no law revealed by God, are still able to live according to the tenets of the Mosaic law. By making conscience the possession of all

[14] Christopher Tilmouth, "Shakespeare's Open Consciences," in *The Renaissance Conscience*, ed. Harald E. Braun and Edward Vallance (Malden, MA: Wiley-Blackwell, 2011), 67–81.

[15] Ghazālī, *al-Iqtiṣād fī-l-I'tiqād*, ed. Ibrahim Ağa Çöpekçi and Hussein Atay (Ankara: Nur Matbaasi, 1962), 1.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

peoples, Paul seeks to downplay the efficacy of the Mosaic law as a source of righteousness before God in favor of incorporation into Jesus Christ.[16] The theological outlook of Saint Paul is, of course, not that of the Qur'an, but in both cases there seems to be acknowledgement of a relation between the inner life and one's moral standing before God. For Paul, that relation is indicated with *syneidēsis*, for the Qur'an with a word (*sarā'ir*) that (as noted above) is the conceptual equivalent of *ḍamīr* as that which one conceals within oneself but is still known to God. Elsewhere in the New Testament, *syneidēsis* is given additional language to qualify it as good (1 Tim. 1:5) or evil (Heb. 10:22). Behavior that seems idolatrous, even when those with knowledge realize that idolatry is nothing, is still a cause of scandal to believers of weak conscience (1 Cor. 8:7, 10, 12). Conscience can be rejected (1 Tim. 1:19), but it can also be transformed through baptism (1 Pet. 21). There is, then, a certain parallel. The inner life, what one holds within oneself, the crux of who one is, is potentially fickle, even twisted, but it is transformed through recognition that one stands before God, a transformation mediated in Christianity by baptism into Christ, in Islam through exposure to the message of the Qur'an that one's inner being, the equivalent of *ḍamīr*, is penetrated by God's knowledge of the state of one's soul.

In Rom. 2:14–16, Paul seems to suggest that *syneidēsis* is innate, meaning that all share a common moral capacity irrespective of communal affiliation. Is this also true in the case of *ḍamīr*? It has been suggested that the term for human nature in the Qur'an (*fiṭra*) does not correspond to *syneidēsis*, translated by Jerome (d. 420) into Latin as *conscientia*: since it can err, it needs to be corrected by fellow members of the Christian community, notably its elders or teaching authorities. In contrast, *fiṭra* is redolent of *synderesis*,[17] a scholastic term in the Christian West indicating universal knowledge of general moral principles, such as the injunction to do the good and avoid the evil.[18] Conscience denotes the application of moral principles to one's choices and actions, but it can err, while *synderesis*, restricted to knowledge of basic truths, cannot. One can be subjectively right and objectively wrong. Similarly, *fiṭra*, created by God, has effect even when one has strayed from the straight path. The two—*synderesis* and *fiṭra*—are not equivalents, but there is overlap. Both speak to action in accordance with one's primordially moral nature, the purposes and ends of which God (not man) establishes, and yet one can still know them by clear reason even apart from revelation.

[16] Stendahl, "Apostle Paul."

[17] Abdulaziz Sachedina, "Freedom of Religion and Conscience in the Qur'an," in *Human Rights and the Conflict of Cultures: Western and Islamic Perspectives on Religious Liberty*, ed. David Little et al. (Columbia: University of South Carolina Press, 1988), 53–90.

[18] Timothy C. Potts, *Conscience in Medieval Philosophy* (Cambridge: Cambridge University Press 1980).



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

There have been long-standing debates in Islam over the moral capacity of human beings apart from the revealed guidance of God's message,[19] and further inquiry is needed into the relation of *ḍamīr*, something all possess, to Islam's conception of the moral life. For example, still in the opening paragraph to the same work, al-Ghazālī castigates philosophers and overly rationalist theologians who propagate the false idea of a clash between reason and revelation, describing their internal sentiments as ugly (*khubth al-ḍamā'ir*). Shortly thereafter, he remarks, "The most important of matters to all creatures is to attain eternal happiness and avoid perpetual misery, for the prophets have appeared to inform [human] creation that Allah the Exalted is owed rights and duties by His slaves [i.e., human beings] in respect to deeds, words, and beliefs; and that whoever has a tongue that does not speak in truth, internal sentiment [*ḍamīr*] that does not embrace the truth, and limbs not adorned with [moral] action, his destiny is hellfire, his end destruction."[20]

It is important to keep in mind that al-Ghazālī's concern for the inner workings of the human soul is part of a larger theological project in which he locates the touchstone for truth inside rather than outside the human being, and this in response to philosophers who also defined the human soul—as opposed to a world full of endless contradictions—as the site where the singularity of truth might be known. However, whereas they cast those truths in philosophical categories, al-Ghazālī ties the formation of the human soul to God's speech in the Qur'an. It is also important to recall that moral reasoning in Islam is hardly reducible to a literal reading of the texts of revelation. While it is not possible here to detail the complexities of moral reasoning in Islam, it is worth emphasizing that any study of the use of *ḍamīr* by al-Ghazālī will have to take into account the weight he gives to the mind. Indeed, in the above passage, which is suggestive of the complexity of moral reasoning in Islam, al-Ghazālī praises those who balance "the requirements of the laws of revelation and the demands of the intellect."[21] Muslims turn to a variety of sources to understand God's ways of guiding His creatures on the straight path. How does conscience—or its equivalents—feature in the process?

## THE MECHANICS OF SUBJECTIVITY IN ISLAM

Whatever imagery is used to depict conscience, it can be said to serve as a foregrounding for the moral life. It would be difficult to imagine a moral life without inner conviction. Conscience, as noted earlier, has been conceived as a private monitor apart from questions of the moral good, but

[19] A. Kevin Reinhart, *Before Revelation: The Boundaries of Muslim Moral Thought* (Albany, NY: SUNY Press, 1995).

[20] Ghazālī, *al-Iqtiṣād fī-l-Iʿtiqād*, 6.

[21] Ibid., 1.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

does such a view take into account the fact that all are shaped in one way or another by their moral habitat? All moral reasoning is shaped by local assumptions and customs even when one dissents from them; moral choices are never made without a measure of inner conviction, whether in societies that encourage individualism or in those that stress commitment to the community. No one acts without a context. No one is a moral automaton. In this sense, conscience is not simply a private matter of regulating one's behavior according to rules of conduct. It also entails moral conviction.[22] You may have a good conscience or a bad one: You may feel satisfied or troubled at what you have done in relation to others. Others may judge you to have a living conscience or a dead one in terms of the way you act towards others: honestly or dishonestly. The specifics of such qualifications depend in part on the moral ethos of a society. Still, key to the moral good in both Islam and the Christian West is what can be called the mechanics of subjectivity. This is not to be equated with subjectivism, relativism, or individualism. It is not about self-interest or whim (*hawā* in Arabic). It is rather a signal of moral maturity where individuals live in relation to the moral good of their societies out of conviction rather than unthinkingly (*taqlīd*) or as a result of coercion (*ikrāh*). Acts committed without deliberation or under duress have dubious moral value in Islam. When choices are made and acts are committed out of a conscious conviction to a system of principles, it can be said that they have moral value. Such conviction could result in dissent from, no less than assent to, the status quo. Conscientious disagreement is inevitable even when all parties acknowledge the existence of moral truths. This is true in Muslim society (at least when there is not a highly armed dictator who seeks to stifle discussion and debate). The point is not conformity or nonconformity but moral commitment. Without such a commitment, conscience (or ethics as a whole) would have no real meaning.[23]

This is arguably what is meant by conscience (*ḍamīr*). Conscience can fail, die, or err, but despite the fallibility of human subjectivity, conscience works to keep the moral good from being reduced solely to norms out there (that is, external to human beings), however such norms are defined, whether by religious teachings, state laws, social mores, or international conventions.[24] It has been argued that it is more accurate to speak of con-

[22] Bernard Wand, "The Content and Function of Conscience," in Donnelly and Lyons, *Conscience*, 133–57, arguing against Gilbert Ryle, "Conscience and Moral Convictions" (ibid., 25–34).

[23] Daniel P. Sulmasy, "What Is Conscience and Why Is Respect for It So Important?," *Theoretical Medicine and Bioethics* 29, no. 3 (2008): 135–49, esp. 139–40.

[24] The fact that the mechanics of subjectivity is no less vital for the moral life than objective norms could serve as a basis for the claim that persons retain their dignity—and thus protection from repercussion—even when their conscience is judged to be errant or deviant. Of course, human dignity, too, is conceived in different ways. See Michael Rosen, *Dignity: Its History and Meaning* (Cambridge, MA: Harvard University Press, 2012).



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

science not in terms of individual autonomy or even personal integrity but rather in terms of the active participation of individuals and groups in the moral good of society.[25] This need not imply that conscience is a faculty, but it would constitute a vital part of moral reasoning whereby one consults oneself in the way one relates to society and its norms. While the moral traditions of the Christian West and Islam are unique, evidence suggests that both would recognize this conception of conscience. Conscience is ultimately one's own,[26] and history offers tragic examples of total breakdowns of moral consciousness. Still, reflection on concepts of conscience in Islam and the Christian West suggests that conscience is twofold, involving both internal and external considerations, even if this can happen reflexively as well as deliberatively.

In this sense, conscience is not simply about you and God or you and yourself even when it depends on internal consultation, nor is it a tool to get you to conform to the status quo in society. Rather, it involves recognition of a moral good beyond oneself against which one evaluates one's own choices and actions—and potentially those of others as well! (The ego is never wholly alone.) In Islam, some things are not to be transgressed by the state: the inviolability of innocent life (*ḥurmat al-nafs*), religion (*ḥurmat al-dīn*), property (*ḥurmat al-māl*), and even personal honor (*ḥurmat al-ʿirḍ*). There are other things that are morally questionable but not so clearly definable as rights violations, and yet they can disturb one's conscience or cause regret (*nadam*): Did I remember to do my religious duties? Did I remember to care for the poor? Have I fulfilled my contractual obligations ethically or did I take advantage of a business partner even if remaining within the letter of the law? As a soldier in my nation's army, do I support the cause for which I am fighting or can I defect nobly? In Islam, there are a number of terms that speak of the manners of the soul. Am I at peace in my soul (*sukūn al-nafs*) with what I have done or what I am about to do? This does not mean that Muslims always act in conformity with what leaves them with inner peace, no less than Christians always act in conformity with the dictates of their conscience. It also does not mean one is necessarily in the right simply because one's soul is at peace. However, Islam recognizes that humans have a moral orientation by nature (*fiṭra*). There may be reasons, including deficient doctrine, that impair one's moral nature, but all have it.[27] Islam has a long tradition of self-examination (*muḥāsabat al-nafs*), the goal of which is to live in concord with one's divinely bestowed nature. Am I motivated by good or evil in my choices and ac-

[25] Robert K. Vischer, *Conscience and the Common Good: Reclaiming the Space between Person and State* (New York: Cambridge University Press, 2010).

[26] Gilbert Ryle, "Conscience and Moral Convictions," in Donnelly and Lyons, *Conscience*, 25–34.

[27] Geneviève Gobillot, "L'épître du discours sur la *fiṭra* (*Risāla fī-l-kalām ʿalā-l-fiṭra*) de Taqī-l-Dīn Aḥmad Ibn Taymīya (661/1262–728/1328)," *Annales Islamologiques* 20 (1984): 29–53.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

tions? Such a question is central to the discipline of self-examination or self-accountability in Islam. There are general rulings, but there is also interior supervision of a sort. Indeed, verses in the Qur'an (75:1–2) speak of the reproachful soul (*al-nafs al-lawwāma*), tying it to the judgment one will receive on the day of resurrection, as noted earlier. This and other verses in the Qur'an that speak of the different characteristics of the human soul have inspired a genre of literature that could be classified as moral psychology, offering detailed instructions to bridle the baser impulses of the soul. A well-known example of the genre, by Ibn Ḥazm (d. 1054), a celebrated scholar of Andalusia, devotes considerable space to the need for self-reproach in the moral life.[28]

Influential voices in Islam have long spoken of the inner life as a secret (*sirr*) where the individual can commune privately with God (*munājāt*). This does not mean that one should go public with one's private life. One might not keep the fast in Ramadan. One might not even be sure of one's belief in God. But one should not give scandal to a society the coherency of which is based on a general commitment to Islam. For this reason, international calls for greater individual liberties in Muslim societies, even if a case can be made for them, are often perceived as a ploy to undermine the Muslim way of life. Still, inner discernment has always had a place in Islam even if one is expected to adhere to Islam's moral teachings, the details of which are invariably the subject of ongoing debate. Submission to God in Islam is not seen as self-repression but rather self-liberation, a freedom (*ḥurriyya*) that allows one to act in accordance with the truth out of inner conviction (*qanā'a*) and devotion (*ikhlā*) rather than being enslaved to the dubious ways of the world. One is to obey God, but the process is not immune to internal considerations no less than it is to external ones.

This can be seen in a passage from a highly influential manual on Sufism by Abū l-Qāsim al-Qushayrī (d. 1074), which includes a short chapter on knowledge—or awareness—of God (*al-ma'rifa bi-allah*). One becomes aware of God, it is explained, by controlling one's carnal passions, allowing for detachment from the world and its ways. The theme of the carnal soul is prominent in Sufism, building on verses in the Qur'an that speak of the soul (*nafs*) in three stages: evil-willed (12:53), self-admonishing (75:2), and contented or at peace in the favor of God (89:27). The chapter begins with a prophetic saying on "the restraining intellect" in the process of knowing God: "'Ā'isha [the wife of the prophet], may Allah be pleased with her, narrated that the prophet, Allah's prayer and peace upon him, said: The basis of a house is its foundation, and the basis of religion is knowledge [i.e., awareness] of Allah the Exalted, certainty [in one's knowledge of God],

[28] Ibn Ḥazm, "Risālat fī Mudāwāt al-Nufūs wa-Tahdhīb al-Akhlāq wa-l-Zuhd fī al-Radhā'il" (*Treatise on the Treatment of Souls, Refinement of Character, and Renunciation of Vices*), in *Rasā'il Ibn Ḥazm al-Andalusī*, 2nd ed., ed. Iḥsān 'Abbās, vol. 1 (Beirut: al-Mu'assasa al-'Arabiyya li-l-Dirāsāt wa-l-Nashr, 1987), 321–413.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

and the restraining intellect [*al-ʻaql al-qāmiʻ*]. I [ʻĀʼisha] said: By my father and my mother, what is the restraining intellect? He [the prophet] said: Refraining from acts in disobedience to Allah and striving for obedience to Allah the Mighty and Majestic."[29]

Islam thus has a long-standing appreciation for a subjectivity (interiority) that is designed to achieve the purposes of the moral life in tandem with God's commands and prohibitions. Here, it is the restraining intellect, recalling the Greco-Hellenistic view of the intellect as the higher faculty of the soul tasked with the duty of restraining its lower faculties (appetites and emotions). While linking this mechanism, the restraining intellect, to sharīʻa (that is, God's commands and prohibitions), the statement by the prophet acts as a prelude for al-Qushayrī to consider the workings of the soul. When properly formed (that is, purified of its baser inclinations that enslave it to the world), it has a moral capacity of its own that is identified with the intellect. Right and wrong are described in the language of sharīʻa, but it is still up to the human being to follow these moral truths with conviction. Here, the intellect, defined as "restraining," is what allows that to happen.

Do only Muslims have the restraining intellect? The fathers of the church taught that all humans have a faculty of conscience but that only Christians truly follow it since they do not belong to this world and its ways.[30] Such a view could also apply to al-Qushayrī and to Islam more broadly. The revealed texts of Islam contain varied terminology for the inner life: heart, mind, secret, and so on.[31] The architects of Sufism, including al-Qushayrī, generally speak of the soul in terms of knowledge of God: The human soul is created to know God. This orientation is best expressed through Islam but is not unknown even outside the fold. In other words, God has given humans a constitution that ensures orientation to Him, including a secret (*sirr*) in the depths of the soul where one encounters God. Beyond it lays a deeper secret (*sirr al-sirr*), the manners of which are known only to God.[32]

For the soul to work at the highest level for which God created it, there is need for a moral formation, which is often referred to as "the purification of the soul" (*tazkiyat al-nafs*) in echo of qurʼanic terminology. Such a concept features prominently in Sufism, where certain ascetical and spiritual practices, above all obedience to the leader of the spiritual brotherhood, are seen to work for the refinement of moral character.[33] However, it is not

[29] Qushayrī, *al-Risāla* (Beirut: Dār Ṣādir, 2001), 206.

[30] Michael Despland, "Conscience," in *Encyclopedia of Religion*, 2nd ed., ed. Lindsay Jones, vol. 3 (Detroit: Macmillan Reference USA, 2005), 1939–46, esp. 1940.

[31] Muhammad Jūzū, *Mafhūm al-ʿAql wa-l-Qalb fī al-Qurʼān wa-l-Sunna* (Beirut: Dār al-ʻIlm li-l-Malāyīn, 1980).

[32] Qushayrī, *al-Risāla*, 48.

[33] See Paul L. Heck, "Mysticism as Morality: The Case of Sufism," *Journal of Religious Ethics* 34, no. 2 (2006): 253–86.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

exclusive to Sufism. It also features in Salafism, a more literalist movement very much ascendant today, where moral formation is seen primarily as a product of correct ritual worship. The soul becomes purified of the seductions of Satan through correct performance of the ablutions involved in the duty of ritual purity (*ṭahāra*).[34] There are thus different ways in which moral formation is understood in Islam. Islam has a vast and varied literature on the moral formation of the soul, but the point here is Muslim affirmation of the existence of a mechanism internal to the human being (whether *ḍamīr, fiṭra, qalb, ʿaql, sirr*, etc.), which is as vital to keep one on the straight path as objective norms understood to reflect God's will.

## THE CONCEPT OF CONSCIENCE IN HADITH

Important is the fact that varied literature in Islam speaks of a moral life that combines subjective and objective elements. The subjective side cannot be equated with self-interest or whim. Indeed, it can be corrupted due to excessive attachment to the world and its ways. Also, this subjective side of the moral life could never lead one to oppose the teachings of Islam or reject the lordship of Allah. The moral teachings of Islam, it should be remembered, are not reducible to fixed rulings but embrace a system of principles meant to ensure that all get their due (*ḥaqq*) and no one is treated with injustice (*ẓulm*). Nevertheless, while Muslims are expected to call fellow members of society to do the good and avoid the evil (*al-amr bi-l-maʿrūf wa-l-nahy ʿan al-munkar*), participation in the moral good of society is recognized to be necessarily subjective in part. For al-Qushayrī, the restraining intellect enables one to obey the commands and prohibitions of God out of inner force, that is, in terms of personal conviction, rather than unthinkingly coerced by external forces, whether ruler or society. This is borne out in two canonical hadiths with wide circulation in Muslim society. Even if not having a specific term for conscience, they capture the idea. They do not grant individuals authority to determine moral truths on their own but do suggest that individuals have a mechanism within themselves by which to know and act on moral truths apart from external coercion:

> On the narration of al-Nawwās b. Samʿān, may Allah be pleased with him, from the prophet, Allah's prayer and peace upon him, who said: Righteousness is good character, and sin is that which wavers in your soul and you do not want people to know about it. On the narration of Wābiṣa b. Maʿbad, may Allah be pleased with him, who said: I came to the messenger of Allah, Allah's prayer and peace upon him, who said: You have come to ask about righteousness? I said: Yes. He said: Consult your heart: Righteousness is that in which your soul is at peace and that in which your heart is at peace, and sin is that which wavers in the soul and vacillates

[34] See Richard Gauvain, *Salafi Ritual Purity: In the Presence of God* (Abingdon: Routledge, 2013), esp. chap. 3.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

in the breast even if people have given you counsel [that is, counseled you to do something that does not leave you with inner peace].[35]

On the narration of al-Nawwās b. Sam'ān from the messenger of Allah, Allah's prayer and peace upon him, who said: Allah the Exalted struck a parable about a straight path: On the two sides of the path are two walls that have open doors with curtains lowered over them. At the gate of the path is a caller who says, "O people, enter the path, all of you, and do not turn off it." Above the path is a caller who calls out whenever the human wants to open one of those doors, saying, "Woe to you, do not open it, for if you open it, you will enter it." [Here follows the explanation of the parable.] The path is Islam, the two walls are the limits of Allah [that is, moral truths set by Allah], and the open doors are what Allah the Exalted has made forbidden. The caller at the head of the path is the book of God, and the caller above the path is the admonisher of Allah in the heart of every believer.[36]

These hadiths do not turn individuals into moral authorities apart from the norms of sharī'a, but they do underscore that activity in the soul is a vital part of the process of moral reasoning in Islam together with the ongoing need for repentance (*al-tawba*) and self-examination (*muḥāsabat al-nafs*). It is worth noting that the entry on conscience in the *Encyclopedia of Religion* begins by presenting a definition that closely matches the first of the two hadiths above and yet paradoxically goes on to restrict the concept of conscience to the Christian West: "Conscience is the faculty within us that decides on the moral quality of our thoughts, words, and acts. It makes us conscious of the worth of our deeds and gives rise to a pleasurable feeling if they are good and to a painful one if they are evil. . . . But the notion of conscience as internal organ is not found outside of Christianity. As commonly understood, it is peculiar to the West. The generalization of the tribunal of conscience, the universal legal requirement for annual confession and penance, is a uniquely Western phenomenon."[37]

In the first of the two hadiths, Muhammad is asked about righteousness and sin and responds by instructing the inquirer to consult his own heart. This suggests a mechanism within humans that compels them to know moral truths, and it works as follows: One experiences internal tranquility when one's action is righteous, internal confusion when sin is a possibility. The heart is arbiter, and one is to consult it and follow it against contrary counsel. The term for counsel is much weightier than mere advice from friends or neighbors. It derives from *fatwa*, the word used for the legal opinion of scholarly authorities learned in sharī'a. If one has consulted one's heart and is not at peace with the *fatwa* one has received, one has license to adhere to the *fatwa* of one's heart over the opinion of scholarly authorities. (Certainly, this may be taken to imply that one should follow

[35] Muṣṭafā Bughā and Muḥyī l-Dīn Mistū, *al-Wāfī fī Sharḥ al-Arbaʿīna al-Nawawiyya* (Damascus: Dār al-ʿUlūm al-Insāniyya, 2001), 204.

[36] Aḥmad b. Ḥanbal, *al-Musnad*, no. 17566.

[37] Despland, "Conscience," esp. 1939, 1944.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

the call of one's heart to adhere to a sharīʿa duty even when a learned authority offers you a scholarly pretext to abandon it.) A book with wide circulation in contemporary Islam comments on the hadith: Adherence to the commands and prohibitions that Allah has set down for His slaves (that is, human beings) is obligatory, but this is not a simple matter of submitting to scholarly authorities who are human and may err. The opinions and rulings of sharīʿa scholars, while important, are not sufficient. One should not ignore them, but there is something else, namely, human nature (*fiṭra*) that disposes us to repose in the truth and accept it.[38] Thus, our human nature, by its constitution, has a share in moral authority even if not a moral authority of its own. A dynamic relation between external rulings and internal processes is what valorizes moral obligation. Islam, it can be said, knows something intrinsic to the human by which God guarantees the moral life as His divine plan for humanity.

The term for human nature (*fiṭra*), briefly noted above, is complex. It applies to all humans, but it has traditionally been seen as corruptible by a number of factors, including the specifics of one's beliefs: All beliefs are not equal. Thomas More, of course, would have concurred: he is famous for his stand on conscience unto death but would not have awarded those he viewed as heretics the same stand he claimed for himself.[39] (A similar observation could be made of Luther and Calvin.) A well-known hadith states that all are born according to *fiṭra* but that non-Muslim education—Jewish, Christian, or Zoroastrian—leads to degeneration of one's inborn moral disposition. The hadith goes together with a narrative in the Qur'an that speaks of the pact that God made with all humans before creating them when he had them attest to His lordship. As a result, human nature in its original state amounts to Islam, that is, recognition of God's singular lordship. In this sense, being Muslim by nature gives humans a certain authority that is never entirely lost even with degenerate forms of belief. All are oriented to God by nature even if some are blocked from full knowledge of God by deficient doctrines. This gives a moral weight to the movements of the heart. The universe entire, inclusive of inanimate beings, knows God as its Lord even if sometimes looking to other powers and not relying exclusively on God as Lord. The soul remains susceptible to the seductions of Satan. Humans thus cannot know fully the true reality of things apart from the revealed message of God reminding them of their precreation acknowledgement of the singularity of God as Lord of Judgment Day. The non-Muslim is potentially challenged, not acting with full knowledge of God and His will, but the mind of the Muslim is also fickle. The mind can help you in times of doubt, but it can also lead you to stray

[38] Muṣṭafā Bughā and Muḥyī l-Dīn Mistū, *al-Wāfī fī Sharḥ al-Arbaʿīna al-Nawawiyya* (Damascus: Dār al-ʿUlūm al-Insāniyya, 2001), 204–9.

[39] Brian Cummings, "Conscience and the Law in Thomas More," in *The Renaissance Conscience*, ed. Harald E. Braun and Edward Vallance (Malden, MA: Wiley-Blackwell, 2011), 29–51.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

from the constitution—Islam—of your pristine nature.[40] Muslims are apparently as susceptible to errors of conscience as are non-Muslims, as reported by Ibn Taymiyya in his discourse on *fiṭra*.[41]

This understanding of conscience is confirmed in the second hadith. Here, too, it is innate (that is, it lies within the human being), but its proper activity is the preservation of Islam, that is, education or formation in the teachings of Islam. A caller, symbolizing the Qur'an, stands at the head of the straight path of Islam, inviting all to enter. The path is surrounded on both sides by walls, which are the limits (that is, commands and prohibitions) that God has set for humanity. Thus, to enter the doors in the walls is to transgress these limits and fall into sin. However, moral truths as set by God are not the whole story. A second caller, symbolizing the admonisher of God in the heart of every believer, is located above the path. This mechanism is not to be misconstrued as a basis for any claim to individual autonomy but is suggestive of interior discernment vital to the moral life. Truth is known by external standards. It is by this affirmation of objective knowledge that Islam can claim to be universal even if not accepted by all. Still, as in the first hadith, here, too, is a mechanism internal to the human being that makes interior conviction rather than exterior coercion the proper manner of living the moral life of Islam. Does this mean that the believer, possessed of this inner voice, shares in the moral authority of God? It is, after all, the voice of God in one's own heart! However Muslims read this hadith, it shows that the moral life in Islam is made up of a dynamic relation between external rulings and internal processes. Both inform Islam's understanding of the moral life.

## CONSCIENCE IN REALITY?

How might such thoughts on the mechanics of subjectivity in Islam play out in reality? Moreover, if conscience, however parsed, is best captured, as earlier suggested, as necessary foregrounding for the capacity of individuals and groups to be in active relation with the moral good of their societies, how might this be envisioned in Islam? Such questions involve sociological analysis beyond the scope of this article. It is enough here to open a single window on the question with reference to the work of Ibn Khaldūn (d. 1406), a scholar of North Africa who introduced his world history with lengthy reflections on human society in both its nomadic and settled forms. He refers to the way in which religion empowers one to be self-governing and therefore capable of retaining one's personal integrity even when living in society under a ruler and constrained by his laws, that is, laws external to one's own making. It is important to recall the debt Ibn

[40] Gobillot, "L'épître du discours," esp. 31–32.

[41] *Dar' Taʿāruḍ al-ʿAql wa-l-Naql*, 2nd ed., ed. Muḥammad Rashād Sālim, vol. 8 (Riyadh: Muḥammad Ibn Saʿūd University, 1991), 456–68.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

Khaldūn owes to Aristotle's understanding of society even if he reframes it in terms of a scriptural theme, *sunnat allāh* (e.g., Qur'an 35:4), namely, God's customary way of dealing with His creation: Ibn Khaldūn affirms that humans congregate by nature, not as the result of religious dictate. They have survival needs (food, clothing, shelter, etc.) that no one person can meet through individual efforts alone, making it necessary to live together in society. However, disagreement and conflict inevitably arise. Thus, in order to preserve order, rule is necessary. Ibn Khaldūn refers to rule as "the restraining agent" (*al-wāzi'*). Turnover of rule from one dynasty to another is a natural process and is also scripturally decreed: A dynasty seizes rule, gradually declines, and succumbs to a new one. What holds true is the purpose of governance, irrespective of dynasty, namely, the need for a check on the baser elements of society.

This raises a significant question for Ibn Khaldūn: Do humans lose their independence and personal integrity (he calls it fortitude) by living in a society where one is subject to external laws, leaving one subordinate and ultimately dependent on others? If one's moral authority is external, not internal, does this not weaken one's independence and integrity, compromising one's ability to live the moral life out of conviction rather than being coerced, since the moral impulse would come from without rather than within? Life in society, he recognizes, quickly becomes a cause of humiliation, since you might be punished like a child for transgressing society's norms. In response, he proposes a way by which "the restraining agent," necessary for the wellbeing of society, functions internally, preserving one's personal integrity and moral conviction even when one lives in society. By internalizing the teachings of Islam, he maintains, one becomes one's own restraining agent. Only by religion, by making its moral teachings one's own, can one maintain one's individual spirit, whereas the laws and customs of society always remain external, enforced by the ruler, leaving one subordinate to outside forces. It is therefore through religion that one becomes self-governing, as exemplified by the companions of the prophet who received the teachings of Muhammad without diminishment of their fortitude. As a result, the restraining agent in their lives came from within:

> When laws are enforced by punishment, they completely destroy fortitude because the use of punishment against someone who cannot defend himself renders in him a sense of humiliation that undoubtedly breaks his fortitude. When laws are intended for discipline (*ta'dīb*) and instruction and are applied from childhood, they have something of that effect since one is raised in fear and servility and does not rely on one's own fortitude. We thus find that the savage nomads have greater fortitude than those who are subject to laws. But it is no argument that the companions of the prophet observed the rulings of religion and sharī'a without diminishment of fortitude. They had the most fortitude of all. When the Muslims got their religion from the lawgiver [that is, the prophet], the prayers of God upon



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

him, the restraining agent came from themselves due to the allurement of paradise and horror of hell that he recited to them. It was not by technical instruction or discipline but by the rulings and ethics (*ādāb*) of the transmitted religion. They followed these teachings because the doctrines of faith and belief had become firmly rooted in them. Their fortitude remained firm as it was and was not corroded by the powers of [external] discipline and rule. ʻUmar [a leading companion of the prophet], may God be pleased with him, said: Those who are not formed by the revealed way, Allah will not form them. By saying this, he [ʻUmar] was intent on everyone having himself as restraining agent.[42]

Ibn Khaldūn is not describing a faculty but rather attesting to the preservation of one's personal and moral integrity vis-à-vis society. It is mediated by religion, but personal and moral integrity is always grounded in a set of moral principles even when, as here, the dynamic is ultimately located within the human being. In this context, the grounding—the formative context—is Islam. Does this mean that non-Muslims are incapable of such personal and moral integrity? It depends, again, on one's understanding of human nature (*fiṭra*), as discussed above. Ibn Khaldūn might take things a step further, since he argues, building on Aristotle, that God has created humans with a natural inclination to live in society. Does he mean this in a Hobbesian sense where individuals give up their independence in exchange for the protection of the sovereign?[43] There may be some overlap, but Ibn Khaldūn does not have such a pessimistic view of mankind in a state of nature. Indeed, the intellect, even apart from sharīʻa, can be the basis of good governance (*siyāsa*),[44] although governance with sharīʻa is better since it takes into account otherworldly interests no less than worldly ones. Is this to imply that one can internally appropriate truths known by reason in a fashion similar to what Ibn Khaldūn claims for the companions of the prophet? This would imply that those without a revealed tradition are also able to live in society without loss of integrity, provided they have internally appropriated such truths as known by reason. The intellect-based governance Ibn Khaldūn has in mind is no philosophically constructed ideal city but is driven by impulses natural to the human condition. Additionally, for Ibn Khaldūn as for al-Ghazālī, reason is not opposed to revelation. The two share in the work of moral discernment. Humans, even if deficient without sharīʻa (and especially so in urban as opposed to nomadic environments according to Ibn Khaldūn), still possess a means to orient themselves to the good. The impulses that lead humans to participate in the moral good of society (even apart from a revealed message) are recognized, alongside sharīʻa, as part of the overall dynamic of Islam. This

[42] Ibn Khaldūn, *al-Muqaddima*, 3rd ed., ed. Muhammad al-Iskandarānī (Beirut: Dār al-Kitāb al-ʻArabī, 2001), 126–27.

[43] Edward G. Andrews, "Hobbes on Conscience Within the Law and Without," *Canadian Journal of Political Science* 32, no. 2 (1999): 203–25.

[44] Ibn Khaldūn, *al-Muqaddima*, 283–89.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

also seems to reflect the understanding of natural law in Medieval Europe where scripture was read in relation to, not apart from, other sources of wisdom.[45]

To be sure, in the above passage, when Ibn Khaldūn speaks of a mechanism of restraint intrinsic to the souls of believers, he is thinking of one's otherworldly interests. A desire for paradise and fear of hell enable one to overcome one's own baser impulses, putting one in a position to self-govern. Would Ibn Khaldūn have granted this self-governing potential to non-Muslims provided they belong to religions that also issue a message about the life to come? Or does the intellect, the mechanism by which all humans restrain their baser passions even apart from revealed laws, function for non-Muslims only in view of worldly interests? Ibn Khaldūn did not address this question. While philosophically minded, he had little taste for metaphysics: The metaphysical realm is known through qur'anic revelation, not Greco-Hellenistic philosophy. When it comes to one's otherworldly destiny, it is not the intellect that discloses knowledge of it, even if the intellect has a role in grasping the message of the world to come as revealed by the Qur'an. The question, then, would depend on Ibn Khaldūn's evaluation of the revelation of religions other than Islam.

To conclude this section: If we limit conscience to a private matter apart from consideration of the moral good, it will be difficult to find a counterpart in Islam's classical texts as surveyed here. However, personal integrity does have a place in these texts, as we have seen in the case of Ibn Khaldūn, but it is one that is guaranteed by the authority of shari'a (however defined) over against the state or ruling body. (It should be remembered that human rights took hold in the West against the backdrop of tyrannical rule and not over against religion.) Thus, even if Islam does not share the terminology that constitutes the language of conscience in the Christian West, it does possess a rich vocabulary to describe the inner life and the mechanics of interiority as well as concepts that approximate the meaning of conscience in the Christian West. This does not turn individuals into moral authorities in their own right, but thinking on conscience in Islam is responsive to context. This suggests that Muslims form their consciences in relation to the norms of a variety of cultures, provided they can preserve a personal and moral integrity that issues from a dynamic relation between inner convictions and the teachings of Islam. Is this something they could do in partnership with those who in one way or another see themselves as heirs to the heritage of conscience in the Christian West? The two traditions seem to have enough overlap to sustain a common conversation on the topic of conscience across cultures and religions. Let us now take our inquiry forward.

[45] Jean Porter, *Nature as Reason: A Thomistic Theory of the Natural Law* (Grand Rapids, MI: Eerdmans, 2005).



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

## CONSCIENCE IN THE CHRISTIAN WEST

Conscience has been conceived in a myriad of ways in the Christian West. The examples we will consider, representing a range that includes the secular, share a common attitude that conscience, not unlike *ḍamīr*, is not a law unto itself. It may have an advisory or admonishing role that does not quite apply to *ḍamīr* (but is not absent from Islam, as seen above). However, aside from relatively unique cases like Nietzsche, conscience in the Christian West has generally not meant autonomous self-expression apart from considerations of the moral good of society. It is not a tool to subordinate individuals to groupthink but nevertheless operates in relation to some kind of recognized moral authority beyond oneself, although such a moral authority is itself diversely conceived. Conscience in the Christian West is thus not about autonomous choices or self-interests, even if it can include expressions of dissent meant to call society to a higher good beyond the status quo and protect the personal integrity of individuals against political tyranny of one kind or another.

The Christian West consists of two main branches, Catholic and Protestant, interwoven into a single civilization along with a variety of philosophical schools that in the modern and postmodern period sought alternatives to explicitly Christian explanations of society but still remained influenced by them. There has been a fairly consistent teaching on conscience in the Catholic community as part of the heritage of natural law, and in the Protestant community it has had significant weight as a personal moral authority (and also monitor of one's religious standing) in tandem with a commitment to a common moral law.[46] Appeals to conscience have rung across Christian denominations often in response to state persecution of belief. It required a real commitment to conscience to be Huguenot in France during the reign of Louis XIV (r. 1643–1715) or to be Catholic in much of British North America during most of the eighteenth century. A relation exists between conscience and martyrdom (the readiness to die for one's convictions), but conscience in the context of martyrdom is not reducible to nonconformity. At a deeper level, it involves a contract to bind oneself publicly to the moral authority one deems true even if death is the cost of doing so.

## CONSCIENCE AND MARTYRDOM IN SIXTEENTH-CENTURY ENGLAND

This is particularly striking in sixteenth-century England where martyrdom features alongside debates about the nature of moral authority. What would be the moral authority informing the cultural fabric of the English nation? The controversy, at least in the early stages, was much larger than

[46] David Little, "Religion and Human Rights: A Personal Testament," *Journal of Law and Religion* 18 (2002–3): 57–77.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

questions of individual nonconformity. Conscience—the term was used by both Catholic and Protestant martyrs—was not simply about the views of individuals but more so about the character of the nation as a whole. The English martyrs all appealed explicitly to conscience, but they did so in a way that reflects different visions of the English nation and the moral authority understood to give it coherency. Thomas More died a loyal servant of Henry VIII (r. 1509–47), who had him executed on July 6, 1535, but his political allegiance to the king had its limits when it came to conscience. The ruler had no jurisdiction over the souls of his subjects. Temporal authority was one thing, spiritual authority another, and conscience was to be informed by the latter.[47] More's view of the church's teaching authority was hardly ultramontane, and he did appreciate the authority of king and parliament in its appropriate sphere, the political domain. However, the coherency of the English nation depended on moral truths which, for More, were not established by royal decrees or the decisions of individual subjects but had been forged over centuries by the consensus of the church as united under its papal head.

John Rogers, executed on February 4, 1555, by Mary I (r. 1553–58), also appealed to conscience.[48] He, too, connected the moral life of the English nation to spiritual authority and would have agreed with More that this authority did not lie with temporal powers. However, in his case, no institution could represent it, only scripture apart from any visible church. The "true catholic church," as Rogers called it, embraced all those from the Israelites of old to his own day who suffered for obedience to the Word of God at the hands of tyrants who arrogated religious authority from its rightly scriptural domain.[49] Protestant John Rogers—no less than Catholic Thomas More—appealed to conscience as measure of moral integrity against those who would pretend to have jurisdiction over the human soul. However, in neither case does conscience operate apart from a recognized authority—ecclesial in the case of More, scriptural in the case of Rogers—and the truths mediated by its teachings. Personal integrity, if that is what conscience is, is always constructed in relation to a set of moral principles of some kind and the laws that embody them.

The nature of authority is central for the varied concepts of conscience in the Christian West. Neither More nor Rogers saw themselves as acting on their own authority. Each claimed freedom of conscience from temporal oversight, but this freedom was not a goal in itself. One was to be free

[47] Thomas More, *A Thomas More Sourcebook*, ed. Gerard B. Wegemer and Stephen W. Smith (Washington, DC: Catholic University of America Press, 2004), 353–54. See, in general, Stefania Tutino, *Law and Conscience: Catholicism in Early Modern England, 1570–1625* (Aldershot: Ashgate, 2007).

[48] John Fox, *The Acts and Monuments of John Foxe*, vol. 6 (New York: AMS Press, 1965), 597–607.

[49] Ibid., 606–7.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

of obstacles keeping one from a dynamic relation with true authority. Conscience in neither case operates according to truths concealed in the hearts of individuals but in light of a conception of the common good of the English nation. Truths were clear and public for both More and Rogers and could be universally known if given due consideration. It was for this reason that lengthy debates were held before a person was condemned. The issue was not simply dissent, even if that was there. More significantly, the appeal to conscience by the English martyrs was a question of the moral authority guiding the nation.

### CONSCIENCE AND MORAL REASONING I

Conscience is thus a means of guarding the moral integrity of the individual person, but different notions of authority inform the way conscience is played out within society. Here, again, we are not talking about conscience as a mandate for moral self-authorship but rather as a way to achieve moral integrity where one adheres to the principles one espouses from conviction even when pressured to abandon them. What is the source of those principles? This is the point of disagreement. As in Islam, also in the Christian West, some have emphasized the rational workings of the mind, others the tradition of natural law, and still others the clear teachings of scripture. But in no case is the process of moral reasoning simple. For example, in the case of the Puritan William Ames (1576–1633), the fullest knowledge of moral truths comes from scripture, but humans by their natural constitution are able to know moral truths at least in worldly matters, even if it is only by faith that they can know the moral truths needed for salvation. At the same time, Ames expected civil authorities to limit public expression of dissent from scriptural truths, although he does not give rulers any role in shaping conscience.[50] This outlook recalls not only Ibn Khaldūn but also Ibn Taymiyya (d. 1328), a Muslim scholar who lived in Syria and Egypt in the wake of the Mongol invasions and who continues to be widely influential in Muslim society. Like Ames, he believed that rulers should enforce the truths of Islam even if he awards them no moral authority of their own. (It is sharīʿa that has the authority to check tyrannical rule and protect the integrity of society.) Ibn Taymiyya, like Ames, also recognized a moral capacity in human nature apart from divine instruction even if it were only Islam that could ensure success in the life to come.[51]

In the Catholic tradition in general, conscience is seen as a mechanism that guards humans from harm. It exists more to protect than to instruct.

[50] James Calvin Davis, "William Ames's Calvinist Ambiguity over Freedom of Conscience," *Journal of Religious Ethics* 33, no. 2 (2005): 335–55.

[51] Gobillot, "L'épître du discours."



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

In echo of the Protestant heritage, it acts as admonisher, making the individual aware of wrongdoing and thereby inflicting guilt as penalty. The moral truths that individuals are to obey with the conviction of conscience are based on multiple sources, but conscience in the Catholic tradition is closely tied to the heritage of natural law to which all are subject, both clergy and lay. Of course, the individual conscience can fail, and here lies the importance of community in both Catholicism and Protestantism as the touchstone for conscience. In the Catholic tradition, the conscience is to judge itself against objective moral norms issuing from teachings passed down over the ages that episcopal authorities have a special role in preserving. The process is understood to take place under the guidance of the Holy Spirit, and it is often overlooked that this gives saints, inspired by the Holy Spirit, a quasi-prophetic role in calling episcopal authorities to truth, as history has demonstrated on numerous occasions.[52] Still, on the whole, conscience in Catholic teaching is geared more to natural law than the spur of the Holy Spirit.

The Holy Spirit is more central to conscience in Protestantism, especially in the so-called holiness traditions. Bishops have played their role in leading Protestant communities as in Catholic ones, but teaching authority in the Protestant tradition is not so clearly delineated as a charismatic institution. Still, differences between Catholic and Protestant traditions are not as significant in every area of Christian life as is sometimes claimed, even if the architects of Protestantism did limit the scope of the church's authority, inspired in part by a desire to free the conscience of Christians from the burden of teachings and practices that were not seen as essential for salvation.

This did not mean that the elect had no moral duties to others and to society as a whole. Martin Luther (1483–1546) composed a work in 1520 on freedom and being Christian. Those who had been chosen by God for salvation may have been free of all worldly authority as far as one's soul is concerned, but they were still to be slaves both to the clear teachings of scripture and to the obligation of charity to all. The former duty was a sign that one was justified before God, the latter that the Kingdom of God, represented by the Word of God in one's conscience, prevailed over the corruption of one's human nature, prompting one to do the good without coercion.[53] Some centuries later, perhaps influenced by Protestant insights, John Henry Newman, nineteenth-century English convert to Catholicism, saw conscience not merely as moral admonisher but also as a primary source of knowledge of God apart from what might be deduced by reason through analogy to creation. In his writings, it is by virtue of conscience

[52] Niles Christian Huidt, *Christian Prophecy: The Post-Biblical Tradition* (Oxford: Oxford University Press, 2007).

[53] William J. Wright, *Martin Luther's Understanding of God's Two Kingdoms: A Response to the Challenge of Skepticism* (Grand Rapids, MI: Baker Academic, 2010), 134.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

that humans are innately disposed in the depths of their soul to awareness of God.[54] Al-Qushayrī would have agreed!

Despite new insights, there has been relative stability in the Catholic view of conscience from Jerome in the fourth century to Aquinas in the thirteenth to the Second Vatican Council (1962–65). There has been varied thinking and even some ambiguity about the component parts of conscience.[55] Still, overall, conscience is seen within the purview of the heritage of natural law. This heritage affirms the purpose of human life as doing what is good and avoiding what is evil. Reason, when sound, delivers knowledge of the principles of right and wrong to the conscience. The conscience, in turn, encourages adherence to these principles, which are variously applied in actual situations. Faith has a role in ensuring this process, but conscience operates in all irrespective of creed. The Catholic view on conscience often makes reference to Sir. 15:14, where it is said that God has left man in the hands of his own counsel. In short, to take counsel with oneself, even if not determinative of standards of right and wrong, is part of the process by which divine guidance is understood to extend to all peoples.[56] This heritage comes together in a well-known statement from the Second Vatican Council (*Gaudium et Spes*, para. 16):

> In the depths of his conscience, man detects a law that he does not impose upon himself but which holds him to obedience. Always summoning him to love the good and avoid evil, the voice of conscience when necessary speaks to his heart: do this, shun that. For man has in his heart a law written by God; to obey it is the very dignity of man; according to it he will be judged. Conscience is the most secret core and sanctuary of a man. There he is alone with God, whose voice echoes in his depths. In a wonderful manner conscience reveals that law which is fulfilled by love of God and neighbor. In fidelity to conscience, Christians are joined with the rest of men in the search for truth and for the genuine solution to the numerous problems that arise in the life of individuals from social relationships. Hence the more right conscience holds sway, the more persons and groups turn aside from blind choice and strive to be guided by the objective norms of morality. Conscience frequently errs from invincible ignorance without losing its dignity. The same cannot be said for a man who cares but little for truth and goodness, or for a conscience that by degrees grows practically sightless as a result of habitual sin.

There is much in this statement that recalls ideas and images from Islam: conscience as operative in the sanctuary of the heart where the human encounters God, in echo of al-Qushayrī; conscience as a voice speaking in the heart, in echo of the second of the two hadiths above; conscience

[54] Fabio Attard, SDB, *Conscience in the Parochial and Plain Sermons of John Henry Newman* (Valetta: Midsea Books, 2008).

[55] Timothy C. Potts, *Conscience in Medieval Philosophy* (Cambridge: Cambridge University Press, 1980).

[56] Helen Costigane, SHCS, "A History of the Western Idea of Conscience," and Jayne Hoose, "Conscience in the Roman Catholic Tradition," both in *Conscience in World Religions*, ed. Jayne Hoose (Notre Dame, IN: University of Notre Dame Press, 1999), 3–20, and 62–98, respectively.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

as a source of human dignity, especially when it is responsive to truth, in echo of Ibn Khaldūn. Finally, while the heart is recognized as a source of moral knowledge, conscience does not operate independently apart from "objective norms of morality" (*Gaudium et Spes*, para. 16). There are standards by which a conscience is qualified as being in the light or in the dark, not unlike the language one hears in Muslim society, generally, in reference to a living or a dead conscience, as noted earlier.

John Paul II would confirm the relation of conscience to the heritage of natural law in his 1993 encyclical, *Veritatis Splendor*. There, he speaks of freedom in a way that recalls Ibn Khaldūn's thoughts about self-restraint as byproduct of internalized faith. In the face of contemporary claims that morality limits personal freedom, John Paul II argues the opposite. Moral truths as known from natural law, inclusive of the Ten Commandments, do not limit personal freedom. Is this not the point that Ibn Khaldūn makes despite the differences in historical context? Commenting on the parable of the rich young man in the Gospel of Matthew, John Paul II claims that perfect freedom lies in self-giving. Al-Qushayrī, with his emphasis on self-detachment, would largely concur. However, the encyclical does not dwell on this higher freedom but keeps to the categories of natural law: In contrast to animals led by instinct to the ends for which they are created, humans pursue their ends freely. These ends boil down to the objective norms of morality as known by the natural law, epitomized in the exhortation to do the good and avoid the evil. Since humans pursue these ends by means of freedom, as is their nature, adherence to them is actually the measure of human freedom.

## CONSCIENCE AND MORAL REASONING II

The Christian West includes other strands where conscience is not so explicitly connected to a Christian outlook. These strands may be considered secular but are still part and parcel of the overall trajectory of the Christian West. Here, we will consider the examples of Jean-Jacques Rousseau (1712–78) and Immanuel Kant (1724–1804), two leading architects of modern thought. Can we speak of resonance with Islam here? There are significant differences in terms of moral reasoning and lawmaking, with more room for humans to determine norms and laws apart from God. It is more the case that humans rather than God establish the purposes and ends of human existence. Nevertheless, neither Rousseau nor Kant define conscience as a moral authority on its own but rather as a source of self-knowledge that permits one to live according to a law which, even if not revealed, is still based on objective norms. For them, too, conscience is admonisher as much as instructor.

Rousseau's view of human nature is rather optimistic, and this may explain why he believes humans are their own judges, as implied in the title of



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

one of his last works, *Rousseau, Judge of Jean-Jacques: Dialogues*. In echo of natural law, he argues that every being has a nature that leads it to its end, but he gives greater weight to inner sentiments than to any purposes set by God. Awareness of these sentiments within us gives us the competence to evaluate our own behavior. Conscience, as a kind of self-knowledge, is our true guide. Thus, at first glance, Rousseau holds that the moral life is largely a function of self-exploration apart from external standards, and by connecting conscience to self-knowledge, Rousseau, it appears, sees it as something more than admonisher.

Rousseau's understanding of conscience cannot be separated from the fact that the usage of the word underwent significant development in Europe over the course of the seventeenth and eighteenth centuries, when it took on the additional sense of self-awareness even more so than awareness of God.[57] As noted earlier, the word for conscience in Arabic traditionally referred to inner sentiments, but as illustrated in the case of al-Ghazālī, it did not necessarily have a positive sense when unqualified by truth especially as divinely revealed. Here, in the Europe of the Enlightenment, inner sentiment had a more positive meaning as moral guide on its own. Rousseau was part of this development, but he still views conscience as a criterion of the moral life and not simply in terms of self-knowledge. He recognized, as does Islam, that society needs a moral sense that cannot be reduced to self-knowledge. For him, as we will see, religion had a vital role in establishing this moral sense in society, even if he did not specify the religion he had in mind in this regard.

For Rousseau, conscience is formed through the cultivation of self-knowledge. However, as Jonathan Marks explains,[58] the process of cultivating self-knowledge depends on a wise guide who gradually brings his disciple into a sense of the importance of solidarity with society. Thus, not entirely unlike al-Ghazālī, Rousseau grounds conscience in a moral formation of one's self-consciousness (in echo of *ḍamīr*). The welfare of society cannot tolerate individuals who remain childlike, thinking the world exists to meet their demands. Ironically, through the awareness of one's own will, one comes to see that others also have will, bringing about recognition of the rights of others. This is the basis of the social contract, but it is understood as a duty only when formulated as a religious teaching on the sense of duty "graven in our hearts by the Author of all justice."[59] But even this is not something that comes about automatically as one grows up. One must be persuaded of it—hence, the importance of effective rhetoric in communicating the message of the lawgiver: "It is only then that he

[57] Catherine Glyn Davies, *Conscience as Consciousness: The Idea of Self-Awareness in French Philosophical Writings from Descartes to Diderot* (Oxford: Voltaire Foundation, 1990).

[58] Jonathan Marks, "The Divine Instinct? Rousseau and Conscience," *Review of Politics* 68, no. 4 (2006): 564–85.

[59] Ibid., 573, quoting *Émile*.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

finds his true interest in being good, in doing good far from the sight of men and without being forced by the laws, in being just between God and himself, in fulfilling his duty, even at the expense of his life."[60]

Such language could be taken to express the gist of Islam, where one is expected eventually to adhere to its moral truths as a function of personal conviction and not out of imitation of others—and even when one is far from the sight of others. The idea of duty as something etched onto the human heart may be a point of difference, but the first of the two hadiths above suggests that the heart has a role in discovering the moral good. In Rousseau's hands, the scriptural notion that law is written on the human heart is made the basis of natural religion apart from revelation and sacred history. However, no less than Ibn Khaldūn, Rousseau sees the proper operation of the conscience in terms of a self-conscious appropriation of the teachings of the lawgiver, a process enabled by religious teachings conveyed through persuasive rhetoric. Rousseau would part with Islam when it comes to the sources of law and the process of lawmaking, although in chapter seven of *The Social Contract* he says that God is the grounding of law; and many a scholar in Islam, past and present, would heartily concur with his idea that one responds to the call of the heart to live virtuously because one is a believer.[61] Moreover, for Rousseau, to be able to respond to the call of the heart to live virtuously, it is necessary to take into account the normative teachings of a legislator no less than sentiments within the soul set there in the first place by "the Author of justice." The moral life, conscience included, bears a close connection to a personal formation in laws and customs:

> We know from the *Social Contract* that citizen virtue is not simply engraved into hearts by the author of nature. Instead, the legislator must be capable of "changing human nature, so to speak," and of "transforming each individual" from "a perfect solitary whole into part of a larger whole.". . . In preparing human beings for self-conquest, the legislator has recourse to mores, customs, and opinion, which "when other laws die out, revives or replaces them.". . . This law is "engraved . . . in the hearts of the citizens" not by the author of nature but by the legislator himself. When the citizen looks into his heart, when he listens to his conscience, he hears the legislator's voice, not the voice of nature. The citizen, persuaded he is heeding only himself, heeds the legislator.[62]

Religion for Rousseau may be simply a convenient buttress for the social contract rather than a set of beliefs people firmly hold, but Ibn Khaldūn would agree with Rousseau in seeing religion as "the keeping of covenants, promises, and contracts,"[63] and both al-Qushayrī and al-Ghazālī would agree with him in seeing obedience to the law as necessary preparation for

[60] Ibid., 579, quoting *Émile*.
[61] Ibid., 582.
[62] Ibid., 583–84.
[63] Ibid., 579.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

"self-conquest."[64] However, Rousseau would have a more open-ended understanding of lawmaking, likely extending beyond Islam's allowance for legal variation. Still, like Ibn Khaldūn, he saw conscience as the innate ability to restrain oneself for moral truths. Conscience for Rousseau is not wholly a product of self-awareness but is also the result of a formation in society's morals.

There are undeniable differences between the thought of Rousseau on conscience and the teachings of Islam, but his optimistic view of human nature is arguably closer to Islam than it is to the idea of the total corruption of human nature that has existed in some spheres of Christianity. With Rousseau, the human being has a natural ability to evaluate the moral worth of a situation. In Islam, this is indicative of the state of being guided by God. In the end, even if they diverge in moral reasoning, Ibn Khaldūn, Rousseau, and John Paul II would have a mutually agreeable conversation about the human ability to evaluate right and wrong apart from explicit edicts from on high. Rousseau connects the perfectibility of the human condition to awareness of inner sentiments, Ibn Khaldūn to a human capacity for self-restraint enhanced by prophetic teachings, and John Paul II to the purposes for which humans have been created according to natural law. It may be for this reason that Rousseau, more so than Ibn Khaldūn and John Paul II, willingly makes man his own judge even when affirming a necessary connection between conscience and a moral system embodied in law.

Kant had a keen appreciation for the inner life as source of knowledge. As a result, "the natural law is replaced by Kant with universal reason."[65] He sought to build up a system of ethics apart from religious teachings. Like other modern thinkers, while relying on reason, he did not begin in the fashion of his scholastic predecessors from preordained purposes set down by God for humans. For this reason, he saw conscience as God's representative on earth, endowing humans with the capacity to make laws even apart from purposes in nature that God might have established in advance. But this hardly makes lawmaking subjective for Kant. "The formal properties of reason itself determine the moral law; where there is universality and necessity, we have a categorical imperative."[66] Not unlike Ibn Khaldūn, Kant hoped for humans to be governed not externally but internally in a society where all are free under a common law.[67] He thus gave humans the capacity to make their own laws apart from the paternalistic oversight of dynastic rule. But once a common law is established, it becomes the norm

[64] Ibid., 583–84.

[65] Christopher J. Insole, "Two Conceptions of Liberalism: Theology, Creation, and Politics in the Thought of Immanuel Kant and Edmund Burke," *Journal of Religious Ethics* 36, no. 3 (2008): 459.

[66] Ibid., 460.

[67] Ibid., 460–61.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

by which one is judged. We are to be judged only by laws of our own making, but we do not occupy moral worlds apart from others. There are moral duties, inescapable laws that we put to ourselves as duties according to the dictates of our rational faculty, making them universal standards of behavior.

Thus, even if we have the capacity to set our own moral ends, they do not amount to personal whims. Kant recognized the problematic of human nature and the corresponding need for a formation in self-control. While we are self-determining when it comes to the laws by which we govern ourselves, the process is not capricious, nor is it the choice of individuals. It is guided by the authority of reason. Some duties are more compelling than others, but we will be held to universally compelling duties insofar as they have been rationally established. Kant affirms a duty of beneficence to others, but it does not require us to help others achieve moral ends that they have determined as right for themselves but that transgress what are held to be universally compelling duties.[68]

In Islam, too, the mind has a legislative capacity, notably in the Muʿtazilite School, which awards it considerable if not exclusive power to determine right and wrong. If the mind fails to choose the right, it is only because of a need.[69] Tell someone he will enjoy the same level of prosperity if he steals or does not steal, then, according to Muʿtazilism, he will not steal. There is no countervailing reason for him to do so. Thus, all things being equal, the mind engenders ethical effects. In the theological circles of Muʿtazilism and also in the philosophical circles of Islam, the mind is sometimes referred to as the delegate of God on earth, and there are some traditions that speak of the mind as the first thing created by God as His means of guiding human beings. Here, the mind has the power to know moral truths if not always to determine them in a Kantian sense, but it may amount to the same thing. Muslims may not speak of humans as their own moral judge, but they and Kant share a common conviction that the rational workings of the mind can beget moral knowledge, especially in areas not specified by revelation. Not unlike Kant, the Muʿtazilite School felt lying was unacceptable in any circumstances, since, if permitted (even the white lie), it would mean that God, too, might lie, resulting in a perverse theodicy where God tricks humans into thinking that what is true with Him is also true to the mind (according to reason) even when it is not: There would be no grounds for humans to be held accountable for their actions, since they would never know whether what seemed good to them was also good with God, and so all ethics would break down.[70]

[68] Robert S. Taylor, "Kantian Personal Autonomy," *Political Theory* 33, no. 5 (2005): 602–28.

[69] Sophia Vasalou, *Moral Agents and Their Deserts: The Character of Muʿtazilite Ethics* (Princeton, NJ: Princeton University Press, 2008).

[70] Sophia Vasalou, "Equal before the Law: The Evilness of Human and Divine Lies: ʿAbd al-Ǧabbār's Rational Ethics," *Arabic Sciences and Philosophy* 13, no. 2 (2003): 243–68. The Ashʿarite



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

Despite differences between Kant and Islam, there is shared recognition of a mechanism that exists within humans to compel them to adhere to moral duties, even if humans occasionally fail to do so as a result of their own needs and shortcomings. Kant calls it conscience, Islam the admonisher of God in the believer's heart, but in both cases it functions to keep individuals true to the contract that holds society together, that is, with a capacity for involvement in the moral good of society, even when this mechanism is internal to humans as a result of the moral orientation of their own human nature. For Kant, conscience is integral to this nature, and for Islam, too, conscience, or its conceptual equivalent, is no less integral to this nature.

## CONCLUSION

All peoples have the capacity for conscience. It is not a moral authority on its own but is necessarily linked to moral principles. Conscience supervenes on all moral systems and cannot be equated with the teachings of one system as opposed to another.[71] It does not necessarily mean one is right or wrong, since conscience can err. It needs to be tested against a set of principles embraced by a community. Conscience is, rather, "the mode of consciousness resulting from the applications of standards" to one's conduct.[72] We are troubled interiorly by committing actions that transgress the principles of our moral universe. This leads us to repair wrongs we have committed against others. For believers, this includes wrongs committed against God. But conscience is not simply a voice in individuals apart from society as a whole. It does not make one a free agent even when operating in dissent mode, although it can rightly guarantee protection from negative repercussion, either from state or society, when such dissent is founded in a sound process of moral deliberation (*ijtihād*). Conscience, even if an inner activity of the soul, fundamentally implies a disposition toward the moral good of society. There is a slippery slope: If conscience is about moral maturity, that is, commitment to the moral life from conviction rather than by coercion, it is a short step from there to say that the informed conscience has a moral authority of its own. Nevertheless, the activity of conscience is always foregrounded in the moral deliberations of one's society (whether community or nation). It is about law, however defined, but it is also about moral conviction as the defining mark of those who freely—that is, conscientiously—adhere to sound laws and dispute unsound ones.

School, which has prevailed in Sunni Islam even if incorporating much from Muʿtazilism, affirmed God's sovereign freedom to reward and punish as he wishes, even if not conforming to human standards of fairness. This ensured that God (rather than unreliable and fickle human minds) was Lord of Judgment Day.

[71] Sulmasy, "What Is Conscience," esp. 137–38; and C. D. Broad, "Conscience and Conscientious Action," in Donnelly and Lyons, *Conscience*, 5–23, esp. 11.

[72] Childress, "Appeals to Conscience," 319.



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

It has been our goal to point to a significant arena of the moral life that Muslims and Christians, along with the more secularly minded, can ponder together. This is especially important at a time when points of commonality seem to be disappearing or are dismissed. Over the last decades, there has been a heightened sensitivity to the differences between traditions with increasing emphasis placed on cultural authenticity (*aṣāla*) over against the universal claims of modernity.[73] This is not without grounds. Cultural authenticity is important. All cultures need not do all things the same way. What may not be reproved in one context may be reproved in another without prejudice to basic human rights. However, claims for cultural authenticity, no less than those for a universalizing modernity, can lead to demands for uniformity that are inconsistent with the rich heritage of moral reflection in both Islam and the Christian West. Indeed, we are all acutely unaware of the varied twists and turns on conscience in our own heritage. As noted at the beginning, a leading Muslim philosopher can cast conscience in terms of a postmodern notion of cultural authenticity, thinking it to be expressive of a religious heritage that is actually vastly more complicated than cultural authenticity. Likewise, scholars in the United States with whom I discuss conscience tend to restrict it to self-expression apart from questions of the moral good in society when that is only one strand within the tradition to which they are heir. As a result, they tend to dismiss the possibility that they might share common ground with Islam on the question of conscience. Such reservations can foster mutual but uncorroborated incomprehension between the two traditions and even mutual condemnation. Suspicions on both sides mark a host of moral issues ranging from clothing standards to questions of conversion, issues where questions of conscience are starkly at play.

Conscience is a significant arena where Muslims and Christians can connect, but this requires mutual awareness of the language each tradition uses to describe conscience. The language of Islam can enrich Christian thinking on conscience, and Muslims, similarly, can be enriched by seeing that the ways in which Christians refer to conscience are not foreign to their own moral heritage even if not expressed in the same language. Conscience in both traditions does not designate a self-standing authority but is rather a mechanism within the soul that is essential for the integrity of the moral life and that works in tandem (sometimes ambiguously so) with a system of moral teachings and laws. Conscience, then, is fundamentally about a commitment to the moral life based on internal conviction rather than external coercion, including the possibility of dissent from the status quo. The apparent overlap suggests that Muslims and Christians, along with others, can recognize the importance of conscience for the moral

[73] Ali Mirsepassi, *Political Islam, Iran, and the Enlightenment: Philosophies of Hope and Despair* (Cambridge: Cambridge University Press, 2011).



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms

good of society even when disagreeing about the content of the moral good and even when conceiving of conscience in language specific to their respective traditions. Muslims and Christians jointly recognize the value of conscience as an internal mechanism that foregrounds the capacity to be in active relation with debates on the moral good, even if the contours of the moral good are invariably debated. The evidence suggests that personal integrity is just one aspect of the phenomenon. Finally, all of this affirms that moral cooperation across cultures and religions in today's world need not be limited to practical coexistence but can actually be grounded in the concept of conscience. In this sense, conscience underscores that peoples from different contexts do share a common commitment to the moral life even when they disagree over its details. They may even disagree about how exactly conscience works, but there is also ample room for a shared discussion on the topic. Conscience, including the integrity and dignity with which it endows a person, even one who errs in moral judgment, need not be restricted to secular formulae,[74] but can enjoy robust support in societies that understand themselves through the lens of one religious identity or another.

[74] Jocelyn Maclure and Charles Taylor, *Secularism and Freedom of Conscience* (Cambridge, MA: Harvard University Press, 2011).



This content downloaded from
108.51.96.46 on Mon, 14 Apr 2025 20:38:44 UTC
All use subject to https://about.jstor.org/terms